

REMARKS/ARGUMENTS

These remarks are made in response to the final Office Action of August 6, 2007 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. The Office is expressly authorized, however, to charge any deficiencies and credit any overpayments to Deposit Account No. 50-0951.

On the basis of new grounds of rejection noted at page 2 of the Office Action, each of the claims was rejected. Claims 1-8, 10-17, 19-26, and 28-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,420,975 to Blades, *et al.* (hereinafter Blades) in view of U.S. Patent 5,386,494 to White (hereinafter White) and U.S. Patent 5,884,249 to Namba (hereinafter Namba). Applicants thank the Examiner for acknowledging that the previous rejections under 35 U.S.C. § 101 have been withdrawn.

Although Applicants respectfully disagree with the rejections, Applicants nevertheless have amended certain claims so as to expedite prosecution of the present application by emphasizing certain aspects of the invention. Applicants respectfully note, however, that the amendments are not intended as, and should not be interpreted as, the surrender of any subject matter. Accordingly, Applicants respectfully reserve the right to present the original version of any of the amended claims in any future divisional or continuation applications from the present application.

In particular, Applicants have amended independent Claims 1, 10, and 19 to further emphasize certain aspects of the invention. The claim amendments, as discussed herein, are fully supported throughout the Specification. No new matter has been introduced by virtue of any of the claim amendments.

Certain Aspects Of Applicants' Invention

At this juncture, it may be useful to reiterate certain aspects of Applicants' invention. One embodiment of the invention, typified by Claim 1, is a method of aiding a

visual search in a list of learnable speech commands. The method can include presenting a display list of speech commands to a user, monitoring whether the user has uttered one of the commands, and measuring an evidentiary value related to the utterance of the uttered one of the commands.

More particularly, the step of measuring can include initially determining an initial time that a previous utterance uttered by the user ended, next determining a succeeding time that the utterance of the uttered one of the commands started, and then computing a time elapsed between the initial and succeeding times. (See, e.g., Specification, paragraph [0021], lines 1-10.) In this way, the evidentiary value can be measured as the time elapsed between the end of the previous utterance and the start of the utterance of the uttered one of the commands. The reason for making such a measurement is that the smaller the elapsed time, the more likely it is that the user has become familiar with particular ones of a set of commands. (See, e.g., Specification, paragraph [0021], lines 10-16.)

The method further can include comparing the evidentiary value to a programmed value to determine if an adjustment criteria has been satisfied, and adjusting the display for the uttered one of the commands. Moreover, according to the method, saliency of the display of the uttered one of the commands can be reduced in response to the evidentiary value meeting the adjustment criteria. Conversely, the saliency of the display of the uttered one of the commands can be increased in response to the evidentiary value not meeting the adjustment criteria.

The Claims Define Over The References

As already noted, independent Claims 1, 10, and 19 were each rejected as being unpatentable over Blades in view of White and Namba. Applicants respectfully submit,

however, that none of the claims, alone or in combination, teach or suggest every feature recited in Claims 1, 10, and 19.

For example, no combination of the references teaches or suggests measuring an evidentiary value related to the utterance of a voice command. It is noted at page 3 of the Office Action that White fails to disclose this feature. Namba likewise fails to even suggest this feature. In the Office Action, however, it is asserted that this feature is found in Blades.

Blades does not contemplate utterances of any kind

Blades is directed to a system and method for automatically altering the display of a user-selectable menus. (See, e.g., Blades, Col. 1, line 48 – Col. 2, line 2.) Applicants initially note, however, that Blades nowhere even mentions *voice* commands or *utterances* of any kind. Applicants respectfully submit, therefore, that Blades can not be read as measuring any kind of evidentiary value that is related to the utterance of a voice command.

Blades tabulates "counts," but in no manner measures time

More fundamentally, Blades nowhere contemplates any type of time-based measurement. Blades does not evaluate any time values whatsoever. Rather, Blades "counts" the number of times that a user selects a menu. In portions of the reference cited in the Office Action as disclosing measuring an evidentiary value, Blades describes a "counter" for counting the number of times that a user selects a particular menu:

"For each menu, a counter is provided which counts the number of times a user selects the particular menu. Each time menu 22 is selected, its associated counter is incremented. Each time menu 24 is selected, its

associated counter is incremented. A counter is also provided for each menu option within a menu. Each time open file 26 is selected, its associated counter is incremented. Each user has an associated set of counters. Each user has a counter for each menu and each menu option. Therefore, each user will have associated counters for menus 22 and 24 and for menu options 6-44.

As the quoted language makes explicit, Blades neither teaches nor suggests anything pertaining to the time between selections. Blade only counts the number of times a particular item is selected by a user. Applicants respectfully note that for any given user, the time between selecting one menu and another can vary widely. Moreover, counting the number of times that a user selects a particular item gives no information relevant to assessing the likelihood that a user is familiar with particular commands listed in a menu display. Such an assessment depends critically on a time element, but Blades provides only a count.

Certainly, Blades does not measure the time elapsed between the end of one utterance and the start of another utterance. Indeed, as already noted, Blades does not even consider utterances of any kind, and Blades' count simply gives no timing information whatsoever.

More particularly, Blades' count suggests nothing about determining an initial time that a previous utterance uttered by a user ended, as expressly recited in Claims 1, 10, and 19. Blades' count likewise fails to suggest next determining a succeeding time that the utterance of the uttered one of a voice command started, as also expressly recited in Claims 1, 10, and 19.

With Blades one count is no different than another, and no consideration is given to the elapsed time between one count and the next. Accordingly, Blades clearly does not

even suggest computing the time that has elapsed between the initial and succeeding times, as further recited in Claims 1, 10, and 19. It logically follows that Blades' count neither teaches nor suggests providing an evidentiary value based on the time elapsed between the end of a previous utterance and the start of an utterance of a voice command.

Accordingly, not White, Blades, or Namba teaches or suggests every feature recited in Claims 1, 10, and 19. Applicants respectfully submit, therefore, that Claims 1, 10, and 19 each define over the prior art. Applicants further respectfully submit that, whereas each of the remaining claims depends from Claim 1, 10, or 19 while reciting additional features, each of the dependent claims likewise defines over the prior art.

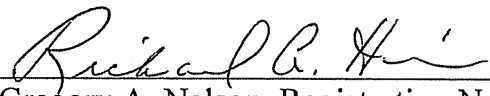
CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

AKERMAN SENTERFITT

Date: October 8, 2007



Gregory A. Nelson, Registration No. 30,577
Richard A. Hinson, Registration No. 47,652
Customer No. 40987
Post Office Box 3188
West Palm Beach, FL 33402-3188
Telephone: (561) 653-5000